

PATENT

Serial No. 10/542,910

Amendment in Reply to Final Office Action of December 5, 2008

REMARKS

This Amendment is being filed in response to the Final Office Action mailed December 5, 2008, which has been reviewed and carefully considered. By means of the present amendment claims 2, 4 and 6-9 have been canceled without prejudice, thus simplifying issues and placing the present application in better form for appeal. Accordingly, entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1 and 3 remain in the Application where claim 5 had been previously canceled without prejudice and claims 2, 4 and 6-9 have been canceled by this amendment without prejudice. Claim 1 is independent. Applicants reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Final Office Action, claims 2, 4 and 6-9 are rejected under 35 U.S.C. §112, first and second paragraphs. Applicants respectfully traverse these rejections, however to advance

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prosecution, and claims 2, 4 and 6-9 have been canceled without prejudice. The cancellation of claims 2, 4 and 6-9 renders moot these rejections with regard to these claims.

In the Final Office Action, claims 1-7 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2002/0005832 (Katase) in view of U.S. Patent Application Publication No. 2003/0137521 (Zehner). Claims 8-9 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Katase and Zehner in view of U.S. Patent Application Publication No. 2002/0196207 (Machida). It is respectfully submitted that claims 1 and 3 are patentable over Katase, Zehner and Machida for at least the following reasons.

Katase is directed to a method for driving an active matrix electrophoretic display where differential voltages are applied to pixels. The differential voltages are calculated on the basis of a difference between a current average position of pigment particles and a subsequent desired position. Paragraphs [0069] and [0094], and FIGs 3, 6, 8, 11, 14-15, 17-18, 22-23, 29-31, and 33-35 disclose that a reset data (Drest) having a level of Vrest is used

for attracting pigment particles 3 to the pixel electrodes 104 so that their positions are initialized.

It is alleged on page 8, paragraph 1, last sentence of the Final Office Action, that "the reset potential difference can enable particles to occupy either extreme position)."

It is respectfully submitted that Katase specifically discloses in Paragraph [0102] that:

the reset voltage Vrest is negative compared to the common voltage Vcom of the common electrode, because the pigment particles are positively charged.  
(Emphasis added)

That is, the Katase particles are directed towards one extreme position by applying a voltage having an apposite polarity to attract the particles to one extreme position. Even, assuming arguendo, that Katase discloses a reset data signal that allows particles to occupy either extreme position, there is still no disclosure or suggestion of the present invention as recited in independent claim 1 which, amongst other patentable elements, recites (illustrative emphasis provided):

the drive means are further arranged for controlling the reset potential difference of each picture element to enable particles to occupy the

extreme position which is closest to the position of the particles which corresponds to the image information.

The allegation that the Katase reset data signal allows particles to occupy either extreme position still does not disclose or suggest any relationship between the current position of particles and their final or extreme position, let alone disclose or suggest controlling the reset potential difference of each picture element to enable particles to occupy the extreme position which is closest to the position of the particles which corresponds to the image information, as recited in independent claim 1.

Further, pages 8-9 of the Final Office Action allege that FIGs 8-10 and Paragraphs [002], [0005]-[0006], [0066]-[0067], [0150] [0169]-[0175] of Zehner disclose or suggest controlling the reset potential difference of each picture element to enable particles to occupy the extreme position which is closest to the position of the particles which corresponds to the image information, as recited in independent claim 1, because the Zehner "reset potential difference can enable particles to occupy either extreme position." (Final Office Action, page 9, line 6).

It is respectfully submitted that similar to Katase, Zehner does not disclose or suggest "controlling the reset potential difference of each picture element to enable particles to occupy the extreme position which is closest to the position of the particles which corresponds to the image information," as recited in independent claim 1.

Rather, Zehner merely discloses in Paragraph [0150] that a "step 304 is a "reset" step in which all the pixels of the display are driven alternately to their black and white states." (Emphasis added) Further, FIGs 2, 4a-4B and 16A-1C in conjunction with Paragraphs [0150] and [0169]-[0175] of Zehner merely describe using flashes of alternating positive and negative voltages as a reset step that move charges particles to pixel extremes, near the electrodes.

There is simply no teaching or suggestion in Katase and Zehner, alone or in combination, any drive means "arranged for controlling the reset potential difference of each picture element to enable particles to occupy the extreme position which is closest to the position of the particles which corresponds to the image

information," as recited in independent claim 1. Machida is cited to allegedly show other features and does not remedy the deficiencies in Katase and Zehner.

Accordingly, it is respectfully submitted that independent claim 1 is allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claim 3 are also allowable at least based on their dependence from amended independent claim 1, as well as for the separately patentable elements contained in each of said claims.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

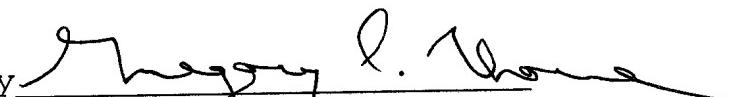
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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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